

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: By Chairman Mike Milburn, on February 13, 2007 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Arlene Becker (D)
Rep. Gary Branae (D)
Rep. Douglas Cordier (D)
Rep. Ernie Dutton (R)
Rep. George G. Groesbeck (D)
Rep. Edward Hilbert (R)
Rep. Rick Jore (C)
Rep. Harry Klock (R)
Rep. Roger Koopman (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. John Ward (R)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Debra Polhemus, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 424, 2/2/2007

Executive Action: HB 398; HB 439; HB 389

HEARING ON HB 424

Opening Statement by Sponsor:

00:01:55 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 424, Revise law on recreational use of water/commissioner duty re marking, impact, leg report.

[EXHIBIT\(fih32a01\)](#)

[EXHIBIT\(fih32a02\)](#)

[EXHIBIT\(fih32a03\)](#)

[EXHIBIT\(fih32a04\)](#)

Proponents' Testimony:

00:17:12 Megan Brower, representing Montana Farm Bureau

00:17:38 John Bloomquist, Attorney, representing Montana Stock Growers Association

Opponents' Testimony:

00:24:26 Tony Schoonen, representing Montana Coalition for Stream Access

00:28:01 Bill Holdorf, Public Land Access (PALI)

00:29:36 Leroy Maring, Skyline Sportsman Association, Butte

00:31:40 Robert Throssell, representing Montana Wildlife Federation

00:35:31 Larry Peterman, Chief of Field Operations, Fish, Wildlife & Parks

[EXHIBIT\(fih32a05\)](#)

[EXHIBIT\(fih32a06\)](#)

[EXHIBIT\(fih32a07\)](#)

00:42:42 Mark Aagenes, Montana Trout Unlimited

00:47:18 Stan Frasier, Helena Hunters and Anglers Association

00:48:19 Lorry Thomas, Anaconda Sportsman Club

00:48:42 Bob Korizek, Helena resident

Informational Testimony:

00:49:43 Sen. Bill Tash, SD 36 (proponent)

Questions from Committee Members and Responses:

00:53:28 Rep. Van Dyk
00:56:46 Rep. Hendrick
00:57:52 Rep. Phillips
01:02:17 Rep. Van Dyk
01:04:46 Rep. Jore
01:08:26 Rep. Vincent
01:11:03 Chairman Milburn
01:14:37 Rep. Hilbert
01:15:17 Jim Kropp, Enforcement Division, Fish, Wildlife & Parks
01:18:36 Rep. Peterson

Closing by Sponsor:

01:21:20 Rep. Debby Barrett

01:29:39 Break
01:40:59 Reconvene

EXECUTIVE ACTION ON HB 389

01:41:18 **Motion:** Rep. Barrett moved that **HB 389 DO PASS.**
01:42:14 **Motion:** Rep. Barrett moved that **HB 389 BE AMENDED.**
EXHIBIT (fih32a08)

Discussion:

01:42:43 Doug Sternberg, Legislative Services Division
01:45:00 Rep. Dutton
01:47:14 Rep. Hilbert
01:48:44 Rep. Peterson
01:49:42 Rep. Phillips
01:54:06 Rep. Groesbeck
01:55:01 Doug Sternberg
01:56:11 Rep. Groesbeck
01:56:55 Rep. Hilbert
01:57:28 Rep. Peterson
01:58:32 Rep. Barrett

01:59:27 **Vote:** **MOTION CARRIED** unanimously by voice vote.

02:00:04 **Motion:** Rep. Ward moved that **HB 389 DO PASS AS AMENDED.**

Discussion:

02:00:22 Rep. Barrett
02:01:32 Rep. Van Dyk
02:02:03 Rep. Barrett
02:02:14 Rep. Ward
02:02:45 Larry Peterman
02:03:02 Rep. Van Dyk
02:03:48 Rep. Phillips
02:05:11 Doug Sternberg
02:06:36 Rep. Hendrick
02:07:25 Rep. Barrett
02:08:05 Rep. Hilbert

02:08:45 **Vote:** **MOTION CARRIED** 18-1 by roll call vote with Rep. Becker voting no.

EXECUTIVE ACTION ON HB 398

02:09:53 **Motion:** Rep. Hendrick moved that **HB 398 DO PASS.**

Discussion:

02:10:18 Rep. Groesbeck
02:11:39 Rep. Ward

02:11:49 **Vote:** **MOTION FAILED** 5-14 by roll call vote with Reps. Barrett, Dutton, Hendrick, Peterson, and Wilson voting aye.

02:12:54 **Motion/Vote:** Rep. Ward moved that **HB 398 BE TABLED AND THE VOTE REVERSED. MOTION CARRIED** unanimously by voice vote.

EXECUTIVE ACTION ON HB 439

02:13:20 **Motion:** Rep. Koopman moved that **HB 439 DO PASS.**

Discussion:

02:13:40 Rep. Koopman
02:16:09 Rep. Hendrick
02:17:00 Rep. Koopman
02:17:21 Rep. Peterson

02:19:07 **Motion/Vote:** Rep. Koopman moved that **HB 439 BE AMENDED. MOTION CARRIED** 18-1 by voice vote with Rep. Groesbeck voting no.

EXHIBIT (fih32a09)

02:22:44 **Motion/Vote:** Rep. Koopman moved that **HB 439 DO PASS AS AMENDED. MOTION CARRIED** 13-6 by roll call vote with Reps. Cordier, Driscoll, Groesbeck, Klock, Van Dyk, and Wilson voting no.

ADDITIONAL EXHIBITS:

EXHIBIT(fih32a10)

Pertaining to HB 389 heard on February 6, 2007

EXHIBIT(fih32a11)

Pertaining to HB 439 heard on February 6, 2007

ADJOURNMENT

Adjournment: 5:00 P.M.

REP. MIKE MILBURN, Chairman

DEBRA POLHEMUS, Secretary

MM/dp

Additional Exhibits:

EXHIBIT ([fi h32aad.pdf](#))